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12 *Attorneys for Defendants Third Avenue*
13 *Management LLC, Third Avenue Trust, M.J.*
14 *Whitman LLC, Vincent J. Dugan, W. James Hall*
15 *III and Michael Buono*

16 **IN THE UNITED STATES DISTRICT COURT**
17 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

18 LOI TRAN,

19 Plaintiff,

20 v.

21 THIRD AVENUE MANAGEMENT
22 LLC; *et al.*

23 Defendants.
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Case No. 2:16-cv-00602

**DEFENDANTS' NOTICE OF
MOTION AND MOTION TO
TRANSFER VENUE TO THE
SOUTHERN DISTRICT OF NEW
YORK**

Judge: Hon. Michael W. Fitzgerald
Courtroom: Spring Street 1600 – 16th Fl.

Action Filed: January 27, 2016

Hearing Date: April 11, 2016
Hearing Time: 10:00 a.m.

1 **TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE** that on Monday, April 11, 2016 at 10:00 a.m., in
3 Courtroom 1600, located at 312 N. Spring Street, Los Angeles, California, 90012,
4 Defendants Third Avenue Management LLC, Third Avenue Trust, M.J. Whitman LLC,
5 Vincent J. Dugan, W. James Hall III and Michael Buono (“Defendants”) will and
6 hereby do move the Court pursuant to 28 U.S.C. § 1404(a) for an order transferring this
7 action to the Southern District of New York. Additional Defendants Thomas Lapointe,
8 Nathaniel Kirk, Edwin Tai, and Joseph Zalewski consent to transfer, as noted in the
9 concurrently filed Declaration of John P. Coffey.

10 This Motion is made following the conference of counsel pursuant to L.R. 7-3,
11 which took place on February 22, 2016. Defendants’ Motion to Transfer Venue is
12 based upon this Notice of Motion, and the Memorandum of Points and Authorities and
13 Declarations of John P. Coffey and W. James Hall III, filed concurrently herewith, all
14 pleadings and papers on file with the Court in this action, all judicially noticeable facts,
15 and upon such oral and written evidence as may be presented at the hearing of this
16 Motion. Accordingly, for the reasons above and more fully set forth in the
17 accompanying memorandum, Defendants request that the Court transfer this action to
18 the Southern District of New York.

19 DATED: March 9, 2016

Respectfully submitted,

21 By: /S/ Robert D. Weber

22 Robert D. Weber

Perrie M. Weiner

DLA PIPER LLP (US)

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Whitman LLC, Vincent J. Dugan, W. James

28 *Hall III and Michael Buono*